

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ORANGEBURG DIVISION

United States of America,	)	
	)	
Plaintiff,	)	C.A. No.: 5:04-2037-MBS
	)	
vs.	)	<b>OPINION AND ORDER</b>
	)	
Joy Campbell,	)	
	)	
Defendant.	)	
	)	

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Plaintiff United States of America brings this action pursuant to 28 U.S.C. § 1345 to recover indebtedness owed by Defendant Joy Campbell with respect to two defaulted federally guaranteed student loans.

On March 29, 2005, Plaintiff filed a motion for summary judgment. By order filed April 4, 2005, pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), Defendant was advised of the summary judgment procedure and the possible consequences if she failed to respond adequately. On May 6, 2005, Plaintiff filed a letter indicating that she had obtained her GED and had been unable to gain access to the Associate Nursing Program at Orangeburg Technical College. Plaintiff stated, "I am more convinced that unfair and unjust advantage was taken of me."

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Bristow Marchant for pretrial handling. The Magistrate Judge filed a Report and Recommendation on June 27, 2005 in which he recommended that Plaintiff's motion for summary judgment be granted. Plaintiff filed no objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. See 28 U.S.C. § 636(b)(1). In the absence of objections to the Report and Recommendation, the court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

After a thorough review of the Report and Recommendation and the record in this case, the court adopts the Magistrate Judge's Report and Recommendation and incorporates it herein. Accordingly, Plaintiff's motion for summary judgment is granted. Judgment in favor of Plaintiff shall be entered in the total amount of \$11,417.13 as of February 10, 2005, which amount includes \$2,590.73 principal plus interest at the rate of 8% per annum in the amount of \$1,790.25 for the Stafford loan, and \$4,061.63 principal plus interest at a variable rate per annum in the amount of \$2,974.52 for the SLS loan, plus additional interest to the date of judgment, together with interest accruing thereafter as provided in 28 U.S.C. § 1961, plus the cost of this action and future costs.

**IT IS SO ORDERED.**

/s/ Margaret B. Seymour  
United States District Judge

Columbia, South Carolina  
August 2, 2005

**NOTICE OF RIGHT TO APPEAL**

Defendant is hereby notified that she has the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.